

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

SECOND AMENDMENT FOUNDATION,  
*et al.*,

*Plaintiffs,*

v.

BUREAU OF ALCOHOL, TOBACCO,  
FIREARMS, AND EXPLOSIVES, *et al.*,

*Defendants.*

No. 3:21-cv-0116-B

**JOINT STATUS REPORT AND PROPOSED SCHEDULE  
FOR FURTHER PROCEEDINGS**

Pursuant to the Court's order of August 24, 2023, the parties have conferred and respectfully submit the following status report.

The Court requested the parties' views as to the impact of *Mock v. Garland*, 75 F.4th 563 (5th Cir. 2023) on the preliminary injunction currently in place in this matter and on the stay of proceedings. The parties agree that by their terms both the injunction and stay will remain active until issuance of the mandate in the *Mock* appeal.

The Court also requested the parties' views as to the impact the effect of *Mock* on Plaintiffs' Motion for Preliminary Injunction. In light of the decision in *Mock*, Plaintiffs wish to move to amend their Motion to assert their logical-outgrowth claim as an additional basis for preliminary relief. *See* Am. Compl. ¶¶ 66-69, ECF No. 50. Defendants do not oppose Plaintiffs' proposed amendment. However, the parties believe that concise supplemental briefs concerning Plaintiffs' logical-outgrowth claim will aid the Court in evaluating Plaintiffs' argument and Motion.

Accordingly, the parties respectfully propose that the Court adopt the following briefing

deadlines, with the briefs limited to five pages in length:

- Plaintiffs will file an unopposed motion to amend their Motion for Preliminary Injunction and supplemental brief on September 8, 2023.
- Defendants will file their responsive supplemental brief on September 15, 2023.

The parties appreciate the Court's consideration.

Dated: September 4, 2023

Respectfully submitted,

BRIAN M. BOYNTON  
Principal Deputy Assistant Attorney General

BRIGHAM J. BOWEN  
Assistant Branch Director

/s/ Michael Drezner

MICHAEL DREZNER (VA Bar No. 83836)  
JODY D. LOWENSTEIN (MT Bar No. 55816869)  
TAYLOR PITZ (CA Bar No. 332080)  
Trial Attorneys  
U.S. Department of Justice  
Civil Division, Federal Programs Branch  
1100 L Street NW  
Washington, DC 20005  
Phone: (202) 514-4505  
Email: Michael.L.Drezner@usdoj.gov

*Attorneys for Defendants*

/s/ Chad Flores

CHAD FLORES  
Flores Law PLLC  
917 Franklin Street, Suite 600  
Houston, Texas 77002  
(713) 893-9440

*Attorney for Plaintiffs*

**CERTIFICATE OF CONFERENCE**

The parties conferred and have agreed about the relief requested herein.

/s/ Michael Drezner

MICHAEL DREZNER (VA Bar No. 83836)

Trial Attorney

U.S. Department of Justice

**CERTIFICATE OF SERVICE**

On September 4, 2023, I electronically submitted the foregoing document with the Clerk of Court for the U.S. District Court, Northern District of Texas, using the Court's electronic case filing system. I hereby certify that I have served all parties electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Michael Drezner

MICHAEL DREZNER (VA Bar No. 83836)

Trial Attorney

U.S. Department of Justice